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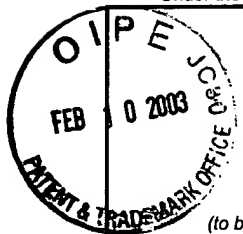


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Application Number 09/642,609

Filing Date August 17, 2000

First Named Inventor KUMAGAI, YOSHINARI

Group Art Unit 1653

Examiner Name MOHAMED, ABDEL A.

Total Number of Pages in This Submission

Attorney Docket Number BEAR-004

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Response to Restriction Requirement (2 pgs.) 2) Return Postcard
<p>Remarks</p>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

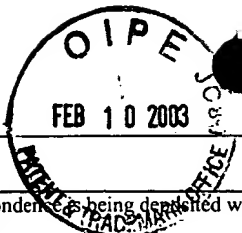
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**RESPONSE TO RESTRICTION
REQUIREMENT**

Address to:
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Washington, D.C. 20231

Attorney Docket
(Confirmation No.)BEAR004
6929

First Named Inventor

Y. Kumagai

Application Number

09/642,609

Filing Date

August 17, 2000

Group Art Unit

1653

Examiner Name

A.A. Mohamed

Title: *Methods and compositions for reducing serum phosphate levels*

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Sir:

This is in response to the Restriction Requirement dated January 9, 2003. The Restriction Requirement set forth a one-month time period for response, making a response due on or before February 9, 2003. Accordingly, this response is timely filed.

I. REMARKS

In the Restriction Requirement, the Examiner required election of one of the following groups of claims:

- Group I: Claims 1-11, drawn to a peptidic compounds and composition thereof comprising one or more moieties that are phosphorylated in vitro or in vivo by physiologic enzymes and a method of reducing a phosphate level thereof;
- Group II: Claims 12-16, drawn to a method of treating hyper phosphatemia in an individual by administering the composition recited in claim 12;
- Group III: Claim 17, drawn to a method of increasing incorporation of phosphorus into bone in an individual by administering the composition recited in claim 17;
- Group IV: Claim 18, drawn to a method of increasing bone strength in an individual by administering the composition recited in claim 18; and
- Group V: Claims 19, drawn to a method of treating a bone disease in an individual by administering the composition recited in claim 19.

Applicants hereby elect to prosecute the claims of Group II (claims 12-16), with traverse. Applicants expressly reserve the right under 35 USC §121 to file one or more divisional applications directed to the non-elected subject matter during the pendency of this application.